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Attorney for Defendant
 RYAN ROSENTHAL

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	No. 4:17-CR-00133-JST-1
)	
Plaintiff,)	STIPULATION AND [PROPOSED] ORDER
)	CONTINUING SENTENCING HEARING AS
v.)	TO DEFENDANT ROSENTHAL
)	
RYAN JAY ROSENTHAL,)	
)	
Defendant.)	
_____)	

Defendant RYAN JAY ROSENTHAL, by and through his counsel undersigned, and the United States of America, through Assistant United States Attorney MEREDITH OSBORN, hereby stipulate and respectfully request that the Court vacate the Sentencing Hearing in the above-captioned case, currently set for Friday, August 17, 2018, at 09:30 a.m., and reset it for Friday, October 26, 2018.

This is the parties' first request to continue the Sentencing Hearing. The parties last appeared before the Court on April 06, 2018, when the Change of Plea was entered as to Defendant Rosenthal (Dkt. Nos. 34, 37).

This request to continue the Sentencing Hearing is made to allow defense counsel more time to provide supporting documents to PROBATION OFFICER EMILY LIBBY for consideration for the Presentence Investigation Report. The original date to submit supporting documents to Mrs. Libby was on July 03, 2018, and defense counsel has not yet received all of the documentation from Defendant or his friends and family which should be considered by Probation Officer Libby in preparation of the Presentence Investigation Report. Additionally, defense counsel has made

1 arrangements for Dr. Jeremy Coles to visit Defendant in custody the last week of July in order to
 2 interview him and prepare a psychological evaluation (which should be completed by the first week of
 3 August).

4 Defense counsel originally planned to request a continuance of approximately four (4) weeks,
 5 but due to the Court's unavailability on September 14th, 21st, 28th and October 5th, 12th, and 19th is
 6 respectfully requesting a continuance to Friday, October 26, 2018. Defense counsel is unavailable on
 7 September 7, 2018, and August 24th and 31st would not allow defense counsel sufficient time to
 8 produce the psychological report from Dr. Coles to Probation Officer Libby with sufficient time to be
 9 considered and included in the Presentence Investigation Report.

10 The requested continuance is necessary to allow for reasonable time to provide Probation
 11 Officer Libby supporting documentation for consideration for the Presentence Investigation Report, to
 12 allow defense counsel sufficient time to thoroughly review the Presentence Investigation Report once
 13 produced, to discuss the report's contents with the Defendant, and prepare and timely file a Sentencing
 14 Memorandum on his behalf pursuant to Crim L.R. 32-5(b).

15 The defendant is in custody and is in agreement with this request to continue the Sentencing
 16 Hearing.

17 For the above-stated reasons, the Defendant, defense counsel, the government, and the Office
 18 of Probation stipulate and respectfully request that the Court vacate the Sentencing Hearing currently
 19 set for Friday, August 17, 2018, and reset it for Friday, October 26, 2018.

20 **IT IS SO STIPULATED.**

21
 22 Respectfully submitted,

23
 24 DATED: July 11, 2018

25 /s/ RJB
 ROBERT J. BELES,
 Attorney for *RYAN ROSENTHAL*

26 DATED: July 11, 2018

27 /s/ EL
 EMILY LIBBY,
 United States Probation Officer

1 DATED: July 11, 2018

/s/ MO

MEREDITH OSBORN

Assistant U.S. Attorney

ALEX G. TSE

Acting United States Attorney

7 **IT IS SO ORDERED.**

9 DATED: _____

HON. JON S. TIGAR

UNITED STATES DISTRICT JUDGE